



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO ATTENTION OF
ECW-15J

Ms. Teresa Seidel
Water Resources Division Director
Michigan Department of Environment, Great Lakes and Energy
525 West Allegan Street
Lansing, Michigan 48929

Subject: Clean Water Act Areas of Concern regarding [FOIA Ex. 6 (Personal Privacy)] Dairy Farms

Dear Ms. Seidel:

On November 21 and 22, 2019, the U.S. Environmental Protection Agency conducted an Animal Feeding Operation inspection at [FOIA Ex. 6 (Personal Privacy)] Dairy Farms located at [FOIA Ex. 6 (Personal Privacy)], Hudson, Michigan (Facility). The purpose of the inspection was to evaluate and document [FOIA Ex. 6 (Personal Privacy)] Dairy Farms' compliance with the Clean Water Act. [FOIA Ex. 6 (Personal Privacy)] Dairy Farms operates under a general National Pollutant Discharge Elimination System (NPDES) permit with the Certificate of Coverage number: MIG010060.

During the compliance inspection, EPA noted areas of concern, a summary of which is provided below. For more details, see pages 18 - 20 of the enclosed inspection report.

- EPA did not observe any depth gauges at any of the manure storage structures at the Facility.
- EPA observed a concrete stormwater swale that flowed to a stormwater underground county drain with water that had come into contact with bedding material from the South Barn.
- The Facility did not have any mortality records on-site at the time of the inspection. It was noted that Facility composts its mortalities and spreads the compost to its crop fields without analyzing the compost first. There were no records of compost applications.
- The Facility did not have records of waste nutrient analysis or documentation of the analysis methods on-site and did not provide any records after the inspection.
- The number of animals at the Facility had increased more than 10% from 2017 to 2018, according to the Annual Reports submitted by the Facility. The version of the Nutrient Management Plan the Facility had on site was dated in 2015 and the Facility did not have a more recent version.
- The Facility did not have lab reports from manure and soil sample analysis. The Facility also did not have any land application records or a copy of the permit on-site. However,

the Facility did send EPA the land application records and the lab reports from soil testing via email after the inspection.

Since the inspection report was sent out to the facility, FOIA Ex. 6
(Personal) Dairy Farms has sent some of the missing records and responded to the areas of concern noted above. EPA has been in discussions with EGLE. Specifically, Rachel Burns of Michigan's Department of Environment, Great Lakes and Energy (EGLE), from the Jackson District Office has already been in communication with the Facility on the aforementioned areas of concern.

This letter serves as a request that EGLE further investigate the above-noted areas of concerns regarding FOIA Ex. 6
(Personal) Dairy Farms. EPA can assist with and provide clarification on documentation submitted by the Facility. Please contact Andi Hodaj, 312-353-4645 or hodaj.andi@epa.gov, for any questions that may arise.

Sincerely,

RYAN BAHR

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BAHR
Date: 2020.05.01
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Ryan Bahr
Acting Branch Chief
Water Enforcement and Compliance Assurance Branch

Enclosure

cc: Rachel Burns, EGLE
Jon Russell, EGLE
Tiffany Myers, EGLE